

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

NATIONAL BOARD OF MEDICAL
EXAMINERS, et al.,

Plaintiffs,

v.

No. 1:09-cv-01043-JDB-cgc

OPTIMA UNIVERSITY LLC, et al.,

Defendants.

ORDER AWARDING ATTORNEY'S FEES AND COSTS

On September 29, 2011, the Court granted summary judgment in favor of Plaintiffs, the National Board of Medical Examiners and the Federation of State Medical Boards, against Defendants, Optima University LLC and Eihab Mohamed Suliman. (Docket Entry ("D.E.") No. 64.) The Court found that the Defendants were liable under the United States Copyright Act, 17 U.S.C. §§ 101 et. seq., for willfully infringing the Plaintiffs' copyrighted United States Medical Licensing Examination questions. The Court also granted the Plaintiffs' request for attorney's fees and costs pursuant to 17 U.S.C. § 505.

The Plaintiffs have filed a notice detailing the costs and fees that they have incurred as result of prosecuting this action. (D.E. No. 66.) Attached to the notice is the declaration of Robert A. Burgoyne, counsel for the Plaintiffs and the billing attorney handling this matter for the law firm of Fulbright & Jaworski LLP. (D.E. No. 66-1.) Mr. Burgoyne has provided an itemized list of fees and expenses, which includes attorney's fees of \$240,285.00 to Fulbright & Jaworski, \$28,376.30 in attorney's fees and expenses to the law firm of Rainey, Kizer, Reviere & Bell, which served as local counsel, and \$6,988.59 in costs, totaling \$275,649.89. The Court has reviewed the Plaintiffs' request

and finds it to be reasonable. Accordingly, pursuant to 17 U.S.C. § 505, the Plaintiffs are awarded \$275,649.89 in attorney's fees and costs to be paid jointly and severally by Defendants, Optima University LLC and Eihab Mohamed Suliman.

IT IS SO ORDERED this 8th day of November, 2011.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE